

Senate File 466 - Introduced

SENATE FILE 466
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1026)

A BILL FOR

1 An Act relating to authorization procedures for certain county
2 projects involving real property.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.301, subsection 10, paragraph e,
2 subparagraph (1), Code 2015, is amended to read as follows:

3 (1) (a) The board must follow substantially the
4 authorization procedures of section 331.443 to authorize
5 a lease or lease-purchase contract for personal property
6 which is payable from the general fund. The board must
7 follow substantially the authorization procedures of section
8 331.443 to authorize a lease or lease-purchase contract for
9 real property which is payable from the general fund if the
10 principal amount of the lease-purchase contract does not exceed
11 the following limits:

12 (i) ~~Four~~ Six hundred thousand dollars in a county having a
13 population of twenty-five thousand or less.

14 (ii) ~~Five~~ Seven hundred fifty thousand dollars in a county
15 having a population of more than twenty-five thousand but not
16 more than fifty thousand.

17 (iii) ~~Six~~ Nine hundred thousand dollars in a county having
18 a population of more than fifty thousand but not more than one
19 hundred thousand.

20 (iv) ~~Eight~~ One million two hundred thousand dollars in a
21 county having a population of more than one hundred thousand
22 but not more than two hundred thousand.

23 (v) One million five hundred thousand dollars in a county
24 having a population of more than two hundred thousand.

25 (b) However, if the principal amount of a lease or
26 lease-purchase contract pursuant to this subparagraph (1) is
27 less than twenty-five thousand dollars, the board may authorize
28 the lease or lease-purchase contract without following the
29 authorization procedures of section 331.443.

30 Sec. 2. Section 331.441, subsection 2, paragraph b,
31 subparagraph (5), Code 2015, is amended to read as follows:

32 (5) (a) Public buildings, including the site or grounds of,
33 and the erection, equipment, remodeling, or reconstruction of,
34 and additions or extensions to the buildings, and including the
35 provision and maintenance of juvenile detention or shelter care

1 facilities, when the ~~cost~~ principal amount of the bonds does
2 not exceed the following limits:

3 ~~(a)~~ (i) Six hundred thousand dollars in a county having a
4 population of twenty-five thousand or less.

5 ~~(b)~~ (ii) Seven hundred fifty thousand dollars in a county
6 having a population of more than twenty-five thousand but not
7 more than fifty thousand.

8 ~~(c)~~ (iii) Nine hundred thousand dollars in a county having
9 a population of more than fifty thousand but not more than one
10 hundred thousand.

11 ~~(d)~~ (iv) One million two hundred thousand dollars in a
12 county having a population of more than one hundred thousand
13 but not more than two hundred thousand.

14 ~~(e)~~ (v) One million five hundred thousand dollars in a
15 county having a population of more than two hundred thousand.

16 (b) If the board in a county with a population of two
17 hundred thousand or less determines that at least twenty-five
18 percent of the building and grounds will be used or occupied by
19 the judicial branch as referenced in section 602.1102 or if the
20 board in a county with a population of more than two hundred
21 thousand determines that at least fifty percent of the building
22 and grounds will be used or occupied by the judicial branch
23 as referenced in section 602.1102, the board may follow the
24 authorization procedures of section 331.443 when the principal
25 amount of the bonds does not exceed the following limits:

26 (i) One million three hundred thousand dollars in a county
27 having a population of twenty-five thousand or less.

28 (ii) One million six hundred thousand dollars in a county
29 having a population of more than twenty-five thousand but not
30 more than fifty thousand.

31 (iii) One million nine hundred thousand dollars in a county
32 having a population of more than fifty thousand but not more
33 than one hundred thousand.

34 (iv) Two million five hundred thousand dollars in a county
35 having a population of more than one hundred thousand but not

1 more than two hundred thousand.

2 (v) Three million two hundred thousand dollars in a county
3 having a population of more than two hundred thousand.

4 Sec. 3. Section 331.441, subsection 2, paragraph c,
5 subparagraph (9), Code 2015, is amended to read as follows:

6 (9) Public buildings, including the site or grounds of,
7 the erection, equipment, remodeling, or reconstruction of, and
8 additions or extensions to the buildings, and including the
9 provision and maintenance of juvenile detention or shelter care
10 facilities, when the ~~cost~~ principal amount of the bonds exceeds
11 the limits stated in subsection 2, paragraph "b", subparagraph
12 (5), subparagraph division (a) or (b), as applicable.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill relates to the authorization procedures for county
17 projects involving real property by raising certain limitation
18 amounts and by making an exception for projects involving
19 property to be used by the judicial branch.

20 Generally, indebtedness incurred for an essential county
21 purpose does not require approval of the voters.

22 The bill increases the threshold amounts that determine
23 whether a project can be undertaken using the procedures for
24 essential county purpose bonds when the project involves a
25 lease contract or lease-purchase contract. For counties with a
26 population of 25,000 or less, the threshold amount is increased
27 from \$400,000 to \$600,000; for counties with a population of
28 more than 25,000 but not more than 50,000, the threshold amount
29 is increased from \$500,000 to \$750,000; for counties with a
30 population of more than 50,000 but not more than 100,000, the
31 threshold amount is increased from \$600,000 to \$900,000; for
32 counties with a population of more than 100,000 but not more
33 than 200,000, the threshold amount is increased from \$800,000
34 to \$1.2 million; and for counties with a population of more
35 than 200,000, the threshold amount is increased from \$1 million

1 to \$1.5 million.

2 The bill amends the definition of "essential county purpose"
3 relating to the issuance of bonds for public buildings by
4 increasing the threshold amounts on the principal amount of
5 the bonds if at least 25 percent of the public building and
6 grounds will be used or occupied by the judicial branch in a
7 county with a population of 200,000 or less, or when at least
8 50 percent of the public building and grounds will be used or
9 occupied by the judicial branch in a county with a population
10 of more than 200,000. The bill increases the threshold amounts
11 in the following manner: for counties with a population of
12 25,000 or less, the threshold amount is increased from \$600,000
13 to \$1.3 million; for counties with a population of more than
14 25,000 but not more than 50,000, the threshold amount is
15 increased from \$750,000 to \$1.6 million; for counties with a
16 population of more than 50,000 but not more than 100,000, the
17 threshold amount is increased from \$900,000 to \$1.9 million;
18 for counties with a population of more than 100,000 but not
19 more than 200,000, the threshold amount is increased from \$1.2
20 million to \$2.5 million; and for counties with a population of
21 more than 200,000, the threshold amount increases from \$1.5
22 million to \$3.2 million.

23 Also, under current law, the threshold amounts are linked to
24 the cost of the project. The bill links the threshold amounts
25 to the principal amount of the bonds.